

**REMARKS**

Claims 1-17 are currently pending in the subject application. In this amendment, Applicant has amended claims 1, 9, 11 and 14 in response to the Examiners rejections based on 35 U.S.C. §101 and 35 U.S.C §112. It is believed that the amendments overcome the same.

The Examiner has also rejected claims 1-17 under 35 U.S.C. §103 as being unpatentable over U.S. Publication No. 2002/0038217 to Young in view of U.S. Patent No. 6,411,936 to Sanders. The Applicant traverses this rejection for at least the reasons set forth below.

The Examiner asserts that Young teaches each limitation of independent claims 1, 7 and 14. However, the Examiner notes that Young does not teach or disclose the limitation, "wherein said levels of corporate organizational structure are modeled as real world objects having methods and variables, said objects being created using an organizational hierarchical structure of said enterprise to be monitored together with respective states and behaviors of components within each level of said corporate structure. The Examiner asserts that Sanders teaches this limitation. Specifically, the Examiner cites claim 33 which states, "the first set of objects includes elements that each represent points of generation of knowledge, speeds and spheres of communication of knowledge, transformation methodology, and distribution methodology of knowledge." The Applicant's respectfully disagree with the Examiner's application of Sanders. As is clear from the above quoted text, the "objects" of Sanders are not tied to real world objects created using the organizational hierarchical structure of the enterprise. The "objects" of Sanders are abstractions generally describing broad

knowledge spheres. There is no tying of the "objects" to real world elements based on hierarchical structure of the enterprise. Examples of the hierarchical structure includes work station, work center and manufacturing machine. (Pg. 10, Par. 3) In fact, Sanders specifically teaches away from the object oriented treatment based on hierarchical structure of the enterprise when in the background section it notes that, "[t]he problem is that existing systems are based either on hierarchical models or are meant to enable decision-making regarding resource allocation only." Thus, Sanders specifically teaches away from combining the object oriented treatment based on hierarchical structure of the enterprise. Accordingly, Applicant submits that independent claims 1, 7 and 14 and the claims depending therefrom are patentable over the Sanders and Young patents.

Based on the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 050877.

Respectfully submitted,

ABB Technology AG

By: /mcp/

Michael C Prewitt, Reg. No. 60526

July 15, 2008

10/661,846

c/o ABB Inc.  
29801 Euclid Avenue-4U6  
Wickliffe, Ohio 44092-2530  
(440) 585-7968